

1 UNITED STATES BANKRUPTCY COURT

2 EASTERN DISTRICT OF NEW YORK

3 Case No. 17-42199-ess

4 - - - - - x

5 In the Matter of:

6

7 THEMA T. NORTON,

8 Debtor.

9 - - - - - x

10 Adv. Case No. 20-01113-ess

11 - - - - - x

12 NORTON,

13 Plaintiff,

14 v.

15 CANN et al.,

16 Defendants.

17 - - - - - x

18 Adv. Case No. 22-01080-ess

19 - - - - - x

20 DAVID J. DOYAGA, SR., SOLELY AS CHAPTER 7 TRUSTEE,

21 Plaintiff,

22 v.

23 JOSEPH S. NORTON,

24 Defendants.

25 - - - - - x

1 United States Bankruptcy Court
2 271-C Cadman Plaza East
3 Brooklyn, NY 11201
4

5 May 3, 2023

6 10:57 AM
7
8
9
10
11
12
13
14
15
16
17
18
19
20

21 B E F O R E :
22 HON ELIZABETH S. STONG
23 U.S. BANKRUPTCY JUDGE
24

25 ECRO: UNKNOWN

1 HEARING re [148] Adjourned Motion ECPs Proof of Claim 2-2
2 Filed by Karamvir Dahiya on behalf of Thema T Norton.
3 Adjourned from 5/3/22 7/6/22 7/19/22 7/22/22 1/24/23 3/21/23
4
5 HEARING re [71] Adjourned Motion For Contempt against Thema
6 T. Norton and that the Contempt Party be fined and/or taken
7 into custody by the United States Marshal until she complies
8 with the 2004 Order and or the Contempt Order Filed by Alex
9 E. Tsionis on behalf of David J. Doyaga.
10 Adjourned from 6/29/21 7/13/21 7/27/21 9/30/21 11/23/21
11 12/3/21 1/28/22 2/25/22 4/29/22 5/3/22 7/19/22 7/22/22
12 1/24/23 3/21/23
13
14 HEARING re 20-01113-ess [1,4] Adjourned Pre-Trial Conference
15 re: Complaint
16 Adjourned from 12/08/20 12/15/20 3/2/21 5/4/21 5/7/21
17 5/21/21 7/27/21 9/30/21 11/23/21 12/3/21 1/28/22 2/25/22
18 4/29/22 7/6/22 7/19/22 7/22/22 1/24/23 3/21/23
19
20 HEARING re 20-01113-ess [20] Adjourned Motion to Dismiss
21 Adversary Proceeding Filed by Gordon S Young on behalf of
22 Nathan Cann, ECP Property II LLC, Jeremy Friedberg, Gordon
23 Young. Adjourned from 5/4/21 5/7/21 5/21/21 7/27/21 9/30/21
24 10/25/21 11/23/21 12/3/21 1/28/22 2/25/22
25 4/29/22 6/10/22 7/6/22 7/19/22 7/22/22 1/24/23 3/21/23

1 HEARING re 22-01080-ess Adjourned Pre-trial Conference re:
2 Complaint Adjourned from 12/6/22 1/24/23 3/21/23
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24

25 Transcribed by: Sonya Ledanski Hyde

1 A P P E A R A N C E S :

2

3 DAHIYA LAW OFFICES LLC

4 Attorneys for the Debtor

5 75 Maiden Lane, Suite 606

6 New York, NY 10038

7

8 BY: KARAMVIR DAHIYA

9

10 LAW OFFICES OF AVRUM J. ROSEN, PLLC

11 Attorneys for the Trustee

12 38 New Street

13 Huntington, NY 11743

14

15 BY: ALEX E. TSIONIS

16

17 FRIEDBERG PC

18 Attorneys for ECP Property II LLC

19 10045 Red Run Boulevard, Suite 160

20 Baltimore, MD 21117

21

22 BY: JEREMY S. FRIEDBERG

23

24

25

P R O C E E D I N G S

CLERK: Good afternoon to the parties, this is Judge Stong's calendar for May 3rd, 2023. Calling matters one through five, Thema T. Norton 17-42199 and adversaries 20-1113 and 22-1080. Appearances, Alex Tsionis, Karamvir Dahiya, Jeremy Friedberg, Thema Norton, Joseph Norton and Marissa Joseph.

THE COURT: Thank you, and good afternoon again, everyone. We'll begin with appearances in the courtroom at counsel table for the Trustee.

MR. TSIONIS: Good afternoon, Your Honor, Alex Tsionis, Law Offices of Avrum J. Rosen, PLLC on behalf of David J. Doyaga, Sr., the Chapter 7 Trustee and the Plaintiff in the adversary.

THE COURT: Thank you --

MR. TSIONIS: Good to see you, Your Honor.

THE COURT: The same. Good to see you here.

MR. DAHIYA: Good afternoon, Judge. Karamvir Dahiya for Joseph Norton and Ms. Thema Norton.

THE COURT: And of course, Ms. Norton is our debtor. I see that the Nortons are here. You can indicate just by waving, or -- thank you so much. You'll be seen on the screen appearing by video. Mr. Friedberg.

MR. FRIEDBERG: Good afternoon, Your Honor. Jeremy Friedberg on behalf of ECP Property II, LLC. Your

1 Honor, I enjoyed your program very much in Seattle. Thank
2 you for putting it on.

3 THE COURT: I recently attended a UBA business law
4 section meeting and spoke on actually two programs, and I
5 don't know which one you mean, but whichever one it was, I'm
6 glad you enjoyed it. Thank you so much.

7 MR. FRIEDBERG: The sanctions program, I learned a
8 lot.

9 THE COURT: All right. So, we have a number of
10 matters on the calendar today that we've carried from time
11 to time. And I just -- I have to say this. We have had
12 hearings in this case since forever on Zoom or on the phone,
13 and it is such a pleasure to see people in person and on the
14 screen as well, but to have the counsel most principally
15 involved with today's matters here in person reminds me how
16 very much I enjoy the presence of counsel and parties here
17 in the courtroom, and not just in the courtroom by video, by
18 phone, by whatever. Those are Court hearings too, to be
19 sure, but there's something special that we are fortunate to
20 experience when people are in the same space.

21 So, enough of that. We have the various -- five
22 different matters on the calendar, including a motion for
23 contempt, an evidentiary hearing on that is scheduled for
24 today, pre-trial conference in the adversary, carried
25 hearing on motion, another pre-trial conference in a

1 different adversary proceeding, that's a -- 22-1080
2 adversary proceeding is distinct from the 20-1113, but I am
3 ready to hear from the parties, wherever you'd like to
4 begin. Mr. Tsionis, you can go first.

5 MR. TSIONIS: Your Honor, Alex Tsionis for the
6 Trustee. Your Honor, it's actually a pleasure to be back in
7 your courtroom and being that we're back in the courtroom I
8 have some very good news to report. We were outside, we got
9 to conference and I'm pleased to say that we've reached a
10 settlement in principle regarding all of the Trustees and
11 the estates' claims in this case regarding the Debtor and
12 Mr. Joseph Norton and Mr. Dahiya has so authorized me to put
13 the critical terms on the record if Your Honor would like to
14 hear them.

15 THE COURT: So, would this resolve all the matters
16 that are on the calendar today?

17 MR. TSIONIS: It would resolve the matters with --
18 pertaining to the adversary proceeding, the motion for
19 contempt, Mr. Dahiya's claim objection against ECP and
20 virtually all matters with regards to the estate, Your
21 Honor, (indiscernible).

22 THE COURT: So, the state -- the estate could go
23 forward and the Nortons could go forward as well with this
24 behind them?

25 MR. TSIONIS: That is correct, Your Honor.

1 THE COURT: And ECP as well?

2 MR. TSIONIS: Everyone could move on, with respect
3 to the bankruptcy. That is correct.

4 THE COURT: What terrific news. Mr. Dahiya, can
5 you confirm in general what Mr. Tsionis is saying?

6 MR. DAHIYA: Yes. Yes, Your Honor. Good to be
7 back, Your Honor. Thank you. Yes, we settled and...

8 THE COURT: Well done.

9 MR. DAHIYA: So, it's better to flame once than to
10 smoke forever. So...

11 THE COURT: It's good to be -- it's good to solve
12 problems. This is a problem-solving Court.

13 MR. DAHIYA: This is what I was mindful of. Your
14 admonishments always, Your Honor, you always suggested --

15 THE COURT: Encouragement's not admonishment, but
16 yes.

17 MR. DAHIYA: There's no -- There's no winner or
18 losers, but it's always good to -- because --

19 THE COURT: I like to think, and I sometimes say
20 both here and elsewhere that this is one of the few
21 Courthouses, Court rooms, or legal systems where you can
22 have winners without having losers.

23 MR. DAHIYA: Yes.

24 THE COURT: That's a really special thing,
25 actually.

1 MR. DAHIYA: And Marissa Joseph also, Your Honor,
2 she was instrumental in bringing about this settlement, so
3 she's here.

4 THE COURT: Ms. Joseph, come up and get your
5 appearance on the record, please. I know you're not here in
6 quite the same capacity as the lawyers who are representing
7 clients, but I'm willing to say it again, it's such a
8 pleasure to see everyone, including you, Ms. Joseph, so if
9 you could get your appearance on the record, please.

10 MS. JOSEPH: Marissa Joseph, Your Honor.

11 THE COURT: And I think that's hopefully close
12 enough to a microphone that it picked up on the record. Mr.
13 Friedberg, are you generally aware of the circumstances that
14 are being described here in the Courtroom?

15 MR. FRIEDBERG: I am not, Your Honor, and I was
16 having trouble with hearing --

17 THE COURT: All right.

18 MR. FRIEDBERG: -- what the terms of settlement
19 were.

20 THE COURT: All right, so Mr. Tsionis, back to
21 you.

22 MR. TSIONIS: Thank you, Your Honor. With Mr.
23 Dahiya's permission, the terms of settlement are as follows.
24 \$100,000 to settle the contempt motion, to settle the
25 adversary proceeding, to settle everything that's actually

1 going on in the bankruptcy case to settle.

2 THE COURT: From who to who?

3 MR. TSIONIS: From Ms. Joseph -- from Mr. Joseph --
4 - excuse me, for Mr. Norton and Mrs. Norton, the Debtor.

5 THE COURT: Yes, Joseph Norton and Marissa Joseph,
6 let's keep a clear record.

7 MR. TSIONIS: Yes, yes, Your Honor.

8 THE COURT: Ms. Joseph...

9 MR. TSIONIS: With \$20,000 to be paid upon the
10 execution of the settlement agreement with a remaining
11 balance of \$80,000 to be paid within 90 days, time being of
12 the essence. We are, actually trying to work out -- there
13 may be a possibility where they could pay the entire
14 \$100,000 to the Trustee simultaneously with the execution of
15 the settlement agreement, so we're trying to figure that
16 out. But worst comes to worst, it's 20 upfront and 80
17 within 90 days, time being of the essence. In the event of
18 a default, the debtor and Mr. Norton agree to a confession
19 of judgment of \$500,000 and Mr. Dahiya is going to drop the
20 claims against ECP in this bankruptcy case, specifically the
21 claim objection, and I think there's also still a pending
22 adversary proceeding that I forgot about.

23 MR. DAHIYA: Adversary's something separate I --
24 what -- there's a adversary that is a different -- we didn't
25 talk to that.

1 MR. TSIONIS: For peace. We can work -- we're
2 doing peace.

3 THE COURT: So, as I see on the record, we have --

4 MR. TSIONIS: I visualize adversary will be
5 peace...

6 THE COURT: Let me summarize what I see in the
7 record, separately of course is whatever the parties will
8 discuss or present to the Court. In 17-42199, we have some
9 motions, including a motion of -- we have a motion that's
10 number 148 in the docket, number one on today's calendar,
11 the claim objection directed to the proof of claim.

12 Number two on the calendar, number 71 on the
13 docket of the bankruptcy case and contempt motion, the --
14 number three in today's calendar and to my knowledge, those
15 are all the pending motions, I'm going to ask my colleagues
16 with access to the docket to check. Those are the only
17 pending motions in the bankruptcy case, and those are --
18 appear to be within the scope of the proposed settlement.

19 Let me continue. Next, I see 20-01113, Norton v.
20 Cann. This is pre-trial conference that we've carried from
21 time to time in connection with that adversary proceeding
22 and in 20-1113, also a motion to dismiss, some of which has
23 been granted, some of which has been carried, and I take it
24 that the proposed settlement would also lead to the
25 dismissal -- it would also bring to an end that adversary

1 proceeding, 20-01113, and then 22-0180, this is the
2 Trustee's adversary proceeding against Mr. Norton, and this
3 would similarly be brought to closure.

4 I'm not aware, but I mean that technically as I
5 sit here, I am not aware, but I'm going to become aware if
6 there are any other pending open adversary proceedings,
7 there's also a motion to quash filed fairly recently in the
8 bankruptcy case, but no other adversary proceedings on this
9 Court's docket, to my knowledge. Ms. Jackson, is that
10 correct? So far as you see? All right. So, we are
11 addressing two adversaries and a bankruptcy case. Mr.
12 Dahiya, is that consistent with your understanding of the
13 record?

14 MR. DAHIYA: Yes, I just -- I was surprised. I
15 did not know about it. I thought my adversary proceeding
16 against Mr. Friedberg's client, ECP was a distant thing.
17 But, as Mr. Tsiones says, peace, peace in everything. Let
18 it go.

19 THE COURT: And I don't know if it's an adversary
20 proceeding or a motion that the claim objection that you are
21 having in mind as an adversary proceeding --

22 MR. DAHIYA: I initially thought it was claim
23 objection, but now they're saying -- Ms. Joseph is saying
24 everything -- Mr. Friedberg also would be in peace about his
25 client --

1 THE COURT: That -- oh, yes, I'm sorry. This is
2 in Norton v. Cann et al. Yes, I think that is the goal.
3 I'm going to give the parties a moment or two to confer not
4 on the record. You sure? Sure makes sense to me. Done
5 means done.

6 MR. DAHIYA: Yes, Your Honor, you've rightly said.

7 THE COURT: But --

8 MR. DAHIYA: Let these issues be -- is -- the
9 adversary is moot -- my adversary's moot and was settled.
10 Complete.

11 THE COURT: Is there a discharge in these cases?

12 MR. TSIONIS: There was a discharge Your Honor,
13 yes.

14 THE COURT: Is it -- so, there's a discharge,
15 that's --

16 MR. TSIONIS: There was a discharge --

17 MR. DAHIYA: No, it was a discharge --

18 THE COURT: Just checking. All right, so back to
19 you, Mr. Tsionis.

20 MR. TSIONIS: Thank you, Your Honor. So again,
21 just to summarize what Your Honor said and what the parties
22 discussed for settling the motion for contempt, for settling
23 the Trustee's adversary proceeding, for settling Mr.
24 Dahiya's claim objection against the ECP, right?

25 THE COURT: The parties are settling, right?

1 That's a big we, not a royal we.

2 MR. TSIONIS: Right, he's with --

3 THE COURT: Got it.

4 MR. TSIONIS: But Mr. Dahiya will be withdrawing -

5 -

6 MR. DAHIYA: I was doing the Trustee's job, Your

7 Honor. That's what -- their job --

8 THE COURT: Mr. Dahiya. Mr. Dahiya, you'll have
9 your opportunity. I'm familiar with that argument, you've
10 made it from time to time. Back to you, Mr. Tsionis.

11 MR. TSIONIS: Where -- Mr. Dahiya will be
12 dismissing the adversary proceeding against ECP with
13 prejudice, and the Trustee will be dismissing the adversary
14 proceeding against Mr. Norton with prejudice. There will be
15 a confession of judgement and the sum of \$500,000 to be
16 signed by the Debtor and Mr. Norton, and the Debtor, Mr.
17 Norton, shall pay to the estate the sum of \$100,000, \$20,000
18 due upon execution, with the remaining balance of \$80,000 to
19 be paid within 90 days, time being of the essence, and
20 again, they're actually contemplating seeing if they can
21 provide the full \$100,000 upfront.

22 THE COURT: If so, is there a small discount for
23 prompt payment?

24 MR. TSIONIS: That is -- Your Honor, that is the
25 discount. That is the discount, Your Honor, and --

1 THE COURT: Mm. No, but for a prompt payment.

2 MR. TSIONIS: I --

3 THE COURT: But understood. You have a number.

4 MR. TSIONIS: And our number was a lot --

5 THE COURT: You have a number and your
6 negotiations are for you.

7 MR. TSIONIS: And I applaud the parties for
8 actually being here today and actually trying to settle
9 this, because as of -- the parties have been trying to
10 settle this from time to time, Your Honor. So, and that's
11 the settlement, Your Honor, and other than that, we were
12 ready to go today with the evidentiary hearing.

13 THE COURT: It's clear everyone was ready to go.
14 I was ready to go. I was revealing the two pre-hearing
15 statements this week, and with my colleagues who are
16 similarly ready to take notes and help me make a good and
17 wise and appropriate decision. But I'll -- the even better
18 and wiser decision is to say, this sounds terrific to me.
19 I'm interested to know what the procedural steps are that
20 are required to bring this all together.

21 It seems to me you're talking about some
22 stipulations and maybe a motion to approve a settlement. I
23 don't know, but have you talked through that, or is that
24 something that you need a moment or two to address? What do
25 you think?

1 MR. TSIONIS: Thank you, Your Honor, Alex Tsionis
2 for the Trustee. Actually, yes, we have discussed this
3 briefly outside, Your Honor. The next step here would be
4 for the Trustee -- we would ask first that the Court carry
5 everything.

6 THE COURT: Sure, yes.

7 MR. TSIONIS: The next step would be for the
8 Trustee to draft the settlement agreement, which I will do
9 so, hopefully promptly. Get it signed up and bring on a
10 (indiscernible) motion before Your Honor.

11 THE COURT: And that would be in the bankruptcy
12 case?

13 MR. TSIONIS: And that would be in the bankruptcy
14 case. And also, in the adversary proceeding of the Trustee.

15 THE COURT: That makes sense, yes. So, Mr.
16 Dahiya, can you confirm?

17 MR. DAHIYA: Yes, that --

18 THE COURT: Approximate time frame?

19 MR. TSIONIS: I hope to have a settlement
20 agreement to Mr. Dahiya by next week. I'm before Your Honor
21 again tomorrow in a separate matter in person, so I hope to
22 have a settlement agreement --

23 THE COURT: Getting used to it. I love it.

24 MR. TSIONIS: Yes.

25 THE COURT: Thank you.

1 MR. TSIONIS: And I -- hopefully I'll have a
2 settlement agreement to Mr. Dahiya by next week and we can
3 have this signed up by next week or shortly thereafter and
4 have a 9018 up right after that, Your Honor. File the 9019
5 right after that, Your Honor. Thank you.

6 THE COURT: So, Mr. Friedberg, does that all work
7 for you? Anything to add?

8 MR. FRIEDBERG: It sounds like the only thing
9 that's being asked of ECP is to agree to the settlement in
10 the case in chief, and that -- agree to the dismissal of the
11 adversary against ECP. If that's all that we're being asked
12 to do, we consent.

13 THE COURT: Okay.

14 MR. TSIONIS: Great.

15 MR. FRIEDBERG: I just - I'm privy to the details
16 of -- you know, the intimate details of the agreement.

17 THE COURT: Right. Ms. Joseph, anything to add?

18 MS. JOSEPH: No, Your Honor.

19 MR. TSIONIS: I would like to add one more thing.

20 THE COURT: Ms. Norton? Mr. Norton? Can you
21 confirm that this is the settlement that you've agreed to,
22 and that it's acceptable to you?

23 MR. NORTON: Yes, yes, Your Honor.

24 THE COURT: All right, Mr. Norton says yes, Your
25 Honor. And Ms. Norton, same question?

1 MS. NORTON: Yes, Your Honor.

2 THE COURT: Excellent, Ms. Norton agrees, yes,
3 Your Honor. I'm repeating only because you don't have a
4 microphone so close.

5 All right. Mr. Tsionis, back to you. I will then
6 -- at some point soon I will summarize the various matters
7 on the docket and how I propose to note all this on the
8 docket. It sounds like you would be able to file the 9019
9 motion by two weeks from today. Does that work?

10 MR. TSIONIS: That's my hope, Your Honor.

11 THE COURT: So, today is the 3rd. Two weeks from
12 today is the 17th. Say the 19th, the end of that week? By
13 May 19th? Mr. Dahiya, are you reachable around? Able to
14 review that --

15 MR. DAHIYA: Your Honor, what dates did he say?

16 THE COURT: This is to file -- file the 9019
17 motion, and --

18 MR. DAHIYA: That's fine.

19 THE COURT: -- two weeks from Friday. Is that
20 what you need -- you need an agreement, and you need a
21 motion, which I think should be probably unremarkable,
22 pretty straightforward, and just get them on file, I want to
23 know when we should expect to see it on a docket. May 19th.
24 And we'll come up with a continued hearing date, holding
25 date for all these things, that can be the return date for

1 that if it's filed then. I -- early July? Work for you?

2 MR. TSIONIS: That works for the Trustee, Your
3 Honor.

4 THE COURT: Okay.

5 MR. DAHIYA: That's for the return date of the
6 motion?

7 MR. TSIONIS: Of the 9019.

8 THE COURT: Yeah.

9 MR. DAHIYA: Thank you, Your Honor.

10 THE COURT: All right. Shall we say July 6th at
11 2:00? I don't think this will be long. You're always
12 welcome to come in person, but it might make more sense to
13 do this by video, but -- July 6th at 2:00, Ms. Jackson? Ms.
14 Jackson says yes. July 6th at 2:00. All right, so here's
15 how I would propose to mark the calendar. As for the first
16 matter, which is the objection to proof of claim, I would
17 mark it settled.

18 Trustee to file rule 9019 motion by May 19th,
19 2023. Now, Trustee's technically, I suppose, not a named
20 movant or subject of that motion, but as Mr. Dahiya has
21 noted from time to time, it is in general within the purview
22 of a Trustee to have an awareness of claims and claim
23 objections and so, rather than have multiple motions or
24 things, I would just make that notation as to that. And
25 then I would turn to the carried hearing and the motion for

1 contempt and make the same notation.

2 Settled. Trustee to file rule 19 -- 9019 motion
3 by May 19th, as reflected in the record of today's hearing.
4 And I think the same as to the pre-trial conference in
5 Norton v. Cann, (indiscernible). And I think, you know
6 these are, again -- the Trustee's not a party, so we have to
7 somehow be sure that there's an appropriate context for that
8 motion, but I'm not concerned.

9 I'm sure you can arrive at a way to address that
10 that doesn't add administrative burden or expense. The
11 motion to dismiss, same thing. Settled. And then Doyaga v.
12 Norton, same thing, settled. The only wrinkle, and the
13 really good lawyers here who can think this through, but
14 this is the Trustee making a 9019 motion in an adversary
15 proceeding between a debtor and a creditor.

16 I don't think the Trustee is a main party, but you
17 can do a stipulation as well. I mean, this could be
18 pursuant to the terms of the agreement, something like that.
19 So, I'm going to leave this like this for now. And I --
20 what else can we do today to...

21 MR. FRIEDBERG: Thank you.

22 MR. TSIONIS: Your Honor, I believe that resolves
23 everything. That addresses everything and I'd like to thank
24 Mr. Dahiya, Ms. Joseph and the Nortons and Mr. Friedberg and
25 the Court. I think that pretty much sums it up, Your Honor.

1 THE COURT: I'm so pleased for all of you. You so
2 deserve to have this behind you. It's a great result. We
3 do have that carried motion to quash. We'll just adjourn it
4 to that same date, and if -- can we do that without a
5 letter? Can we take a request? (indiscernible).

6 MR. TSIONIS: Yeah, let's close them together
7 here. That's to be withdrawn. That's all done.

8 THE COURT: Okay, so anything that saves even
9 having to file a letter. Motion quash is in the bankruptcy.

10 MR. DAHIYA: Your Honor -- it's an oral motion for
11 Your Honor, kindly if you could withdraw the --

12 THE COURT: There's one thing I -- Let me get the
13 quote. On the motion to quash?

14 MR. DAHIYA: The motion to quash be withdrawn,
15 Your Honor.

16 THE COURT: And that's in the bankruptcy case?

17 MR. DAHIYA: That's correct.

18 THE COURT: Motion to quash (indiscernible)...

19 MR. DAHIYA: And that means you going to withdraw
20 your subpoenas also.

21 THE COURT: Not prejudiced of course, but -

22 MR. DAHIYA: Yeah.

23 THE COURT: Okay, write out the word withdrawn.

24 Okay, good. Nice. So, that'll take care of that. Ms.

25 Jackson, you can link it appropriately?

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CLERK: Yes.

THE COURT: What else can we do today to help move this forward in the most expeditious way possible for the parties? Hearing nothing, I'm just going to say thank you again.

MR. TSIONIS: Well, that's it. Thank you, Your Honor.

THE COURT: So, motion to quash withdrawn. That's going to be so ordered. Doing my housekeeping. Excellent. Mr. Friedberg, thank you very much. With your permission, I may step down and actually thank in person the counsel here, but since I can't do that with you, I'm air shaking your hand.

MR. FRIEDBERG: Thank you, Your Honor.

THE COURT: And thanking you for your role in the case and your great efforts in the case, and what a -- what a good day for everyone. Thank you so much.

MR. FRIEDBERG: Thanks, Your Honor.

CLERK: All rise. I'll stop the recording.

(Whereupon these proceedings were concluded at 12:47 PM)

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

I N D E X

RULINGS

	Page	Line
Motion to Quash, WITHDRAWN	23	8

C E R T I F I C A T I O N

I, Sonya Ledanski Hyde, certified that the foregoing
transcript is a true and accurate record of the proceedings.



Sonya Ledanski Hyde

Veritext Legal Solutions

330 Old Country Road

Suite 300

Mineola, NY 11501

Date: May 25, 2023

1	2/25/22 3:11,17 3:24 20 3:20 11:16 20,000 11:9 15:17 20-01113 1:10 3:14,20 12:19 13:1 20-1113 6:5 8:2 12:22 2004 3:8 2023 2:5 6:3 20:19 25:25 21117 5:20 22-01080 1:18 4:1 22-0180 13:1 22-1080 6:5 8:1 23 24:5 25 25:25 271 2:2 2:00 20:11,13 20:14	5 5/21/21 3:17,23 5/3/22 3:3,11 5/4/21 3:16,23 5/7/21 3:16,23 500,000 11:19 15:15	9018 18:4 9019 18:4 19:8 19:16 20:7,18 21:2,14
1,4 3:14 1/24/23 3:3,12 3:18,25 4:2 1/28/22 3:11,17 3:24 10/25/21 3:24 100,000 10:24 11:14 15:17,21 10038 5:6 10045 5:19 10:57 2:6 11/23/21 3:10 3:17,24 11201 2:3 11501 25:23 11743 5:13 12/08/20 3:16 12/15/20 3:16 12/3/21 3:11,17 3:24 12/6/22 4:2 12151 25:6 12:47 23:21 148 3:1 12:10 160 5:19 17-42199 1:3 6:4 12:8 17th 19:12 19 21:2 19th 19:12,13 19:23 20:18 21:3	3 3 2:5 3/2/21 3:16 3/21/23 3:3,12 3:18,25 4:2 300 25:22 330 25:21 38 5:12 3rd 6:3 19:11	6 6/10/22 3:25 6/29/21 3:10 606 5:5 6th 20:10,13,14	a
2	4 4/29/22 3:11,18 3:25	7 7 1:20 6:13 7/13/21 3:10 7/19/22 3:3,11 3:18,25 7/22/22 3:3,11 3:18,25 7/27/21 3:10,17 3:23 7/6/22 3:3,18 3:25 71 3:5 12:12 75 5:5	able 19:8,13 acceptable 18:22 access 12:16 accurate 25:4 actually 7:4 8:6 9:25 10:25 11:12 15:20 16:8,8 17:2 23:11 add 18:7,17,19 21:10 address 16:24 21:9 addresses 21:23 addressing 13:11 adjourn 22:3 adjourned 3:1 3:3,5,10,14,16 3:20,23 4:1,2 administrative 21:10 admonishment 9:15 admonishme... 9:14 adv 1:10,18 adversaries 6:4 13:11
2-2 3:1		8 8 24:5 80 11:16 80,000 11:11 15:18	
		9 9/30/21 3:10,17 3:23 90 11:11,17 15:19	

adversary 3:21 6:14 7:24 8:1,2 8:18 10:25 11:22,24 12:4 12:21,25 13:2 13:6,8,15,19 13:21 14:9,23 15:12,13 17:14 18:11 21:14 adversary's 11:23 14:9 afternoon 6:2 6:8,11,18,24 agree 11:18 18:9,10 agreed 18:21 agreement 11:10,15 17:8 17:20,22 18:2 18:16 19:20 21:18 agrees 19:2 air 23:12 al 1:15 14:2 alex 3:8 5:15 6:5,11 8:5 17:1 appear 12:18 appearance 10:5,9 appearances 6:5,9 appearing 6:23 applaud 16:7 appropriate 16:17 21:7 appropriately 22:25	approve 16:22 approximate 17:18 argument 15:9 arrive 21:9 asked 18:9,11 attended 7:3 attorneys 5:4 5:11,18 authorized 8:12 avrum 5:10 6:12 aware 10:13 13:4,5,5 awareness 20:22	big 15:1 boulevard 5:19 briefly 17:3 bring 12:25 16:20 17:9 bringing 10:2 brooklyn 2:3 brought 13:3 burden 21:10 business 7:3	chapter 1:20 6:13 check 12:16 checking 14:18 chief 18:10 circumstances 10:13 claim 3:1 8:19 11:21 12:11,11 13:20,22 14:24 20:16,22 claims 8:11 11:20 20:22 clear 11:6 16:13 clerk 6:2 23:1 23:19 client 13:16,25 clients 10:7 close 10:11 19:4 22:6 closure 13:3 colleagues 12:15 16:15 come 10:4 19:24 20:12 comes 11:16 complaint 3:15 4:2 complete 14:10 complies 3:7 concerned 21:8 concluded 23:20 confer 14:3 conference 3:14 4:1 7:24
	b	c	
	b 2:21 back 8:6,7 9:7 10:20 14:18 15:10 19:5 balance 11:11 15:18 baltimore 5:20 bankruptcy 1:1 2:1,23 9:3 11:1,20 12:13 12:17 13:8,11 17:11,13 22:9 22:16 behalf 3:2,9,21 6:12,25 believe 21:22 better 9:9 16:17	c 2:2 5:1 6:1 25:1,1 cadman 2:2 calendar 6:3 7:10,22 8:16 12:10,12,14 20:15 calling 6:3 cann 1:15 3:22 12:20 14:2 21:5 capacity 10:6 care 22:24 carried 7:10,24 12:20,23 20:25 22:3 carry 17:4 case 1:3,10,18 7:12 8:11 11:1 11:20 12:13,17 13:8,11 17:12 17:14 18:10 22:16 23:16,16 cases 14:11 certified 25:3	

7:25 8:9 12:20 21:4 confession 11:18 15:15 confirm 9:5 17:16 18:21 connection 12:21 consent 18:12 consistent 13:12 contemplating 15:20 contempt 3:5,6 3:8 7:23 8:19 10:24 12:13 14:22 21:1 context 21:7 continue 12:19 continued 19:24 correct 8:25 9:3 13:10 22:17 counsel 6:10 7:14,16 23:11 country 25:21 course 6:20 12:7 22:21 court 1:1 2:1 6:8,15,17,20 7:3,9,18 8:15 8:22 9:1,4,8,11 9:12,15,19,21 9:24 10:4,11 10:17,20 11:2 11:5,8 12:3,6,8	13:19 14:1,7 14:11,14,18,25 15:3,8,22 16:1 16:3,5,13 17:4 17:6,11,15,18 17:23,25 18:6 18:13,17,20,24 19:2,11,16,19 20:4,8,10 21:25 22:1,8 22:12,16,18,21 22:23 23:2,8 23:15 court's 13:9 courthouses 9:21 courtroom 6:9 7:17,17 8:7,7 10:14 creditor 21:15 critical 8:13 custody 3:7	22:22 dahiya's 8:19 10:23 14:24 date 19:24,25 19:25 20:5 22:4 25:25 dates 19:15 david 1:20 3:9 6:13 day 23:17 days 11:11,17 15:19 debtor 1:8 5:4 6:21 8:11 11:4 11:18 15:16,16 21:15 decision 16:17 16:18 default 11:18 defendants 1:16,24 described 10:14 deserve 22:2 details 18:15 18:16 different 7:22 8:1 11:24 directed 12:11 discharge 14:11,12,14,16 14:17 discount 15:22 15:25,25 discuss 12:8 discussed 14:22 17:2	dismiss 3:20 12:22 21:11 dismissal 12:25 18:10 dismissing 15:12,13 distant 13:16 distinct 8:2 district 1:2 docket 12:10 12:13,16 13:9 19:7,8,23 doing 12:2 15:6 23:9 doyaga 1:20 3:9 6:13 21:11 draft 17:8 drop 11:19 due 15:18
	d		e
	d 6:1 24:1 dahiya 3:2 5:3 5:8 6:6,18,19 8:12 9:4,6,9,13 9:17,23 10:1 11:19,23 13:12 13:14,22 14:6 14:8,17 15:4,6 15:8,8,11 17:16,17,20 18:2 19:13,15 19:18 20:5,9 20:20 21:24 22:10,14,17,19		e 2:21,21 3:9 5:1,1,15 6:1,1 24:1 25:1 early 20:1 east 2:2 eastern 1:2 ecp 3:22 5:18 6:25 8:19 9:1 11:20 13:16 14:24 15:12 18:9,11 ecps 3:1 ecro 2:25 efforts 23:16 elizabeth 2:22 encouragem... 9:15

enjoy 7:16 enjoyed 7:1,6 entire 11:13 ess 1:3,10,18 3:14,20 4:1 essence 11:12 11:17 15:19 estate 8:20,22 15:17 estates 8:11 et 1:15 14:2 event 11:17 evidentiary 7:23 16:12 excellent 19:2 23:9 excuse 11:4 execution 11:10,14 15:18 expect 19:23 expeditious 23:3 expense 21:10 experience 7:20	fine 19:18 fined 3:6 first 8:4 17:4 20:15 five 6:4 7:21 flame 9:9 follows 10:23 foregoing 25:3 forever 7:12 9:10 forgot 11:22 fortunate 7:19 forward 8:23 8:23 23:3 frame 17:18 friday 19:19 friedberg 3:22 5:17,22 6:6,23 6:24,25 7:7 10:13,15,18 13:24 18:6,8 18:15 21:21,24 23:10,14,18 friedberg's 13:16 full 15:21	16:14 goal 14:2 going 11:1,19 12:15 13:5 14:3 21:19 22:19 23:4,9 good 6:2,8,11 6:16,17,18,24 8:8 9:6,11,11 9:18 16:16 21:13 22:24 23:17 gordon 3:21,22 granted 12:23 great 18:14 22:2 23:16	16:10,11 17:1 17:3,10,20 18:4,5,18,23 18:25 19:1,3 19:10,15 20:3 20:9 21:22,25 22:10,11,15 23:7,14,18 hope 17:19,21 19:10 hopefully 10:11 17:9 18:1 housekeeping 23:9 huntington 5:13 hyde 4:25 25:3 25:8
f	g	h	i
f 2:21 25:1 fairly 13:7 familiar 15:9 far 13:10 figure 11:15 file 18:4 19:8 19:16,16,22 20:18 21:2 22:9 filed 3:2,8,21 13:7 20:1	g 6:1 general 9:5 20:21 generally 10:13 getting 17:23 give 14:3 glad 7:6 go 8:4,22,23 13:18 16:12,13	hand 23:13 hear 8:3,14 hearing 3:1,5 3:14,20 4:1 7:23,25 10:16 16:12,14 19:24 20:25 21:3 23:4 hearings 7:12 7:18 help 16:16 23:2 holding 19:24 hon 2:22 honor 6:11,16 6:24 7:1 8:5,6 8:13,21,25 9:6 9:7,14 10:1,10 10:15,22 11:7 14:6,12,20,21 15:7,24,25	ii 3:22 5:18 6:25 including 7:22 10:8 12:9 indicate 6:21 indiscernible 8:21 17:10 21:5 22:5,18 initially 13:22 instrumental 10:2 interested 16:19 intimate 18:16 involved 7:15 issues 14:8

j	l	matter 1:5 17:21 20:16	move 9:2 23:2 multiple 20:23
j 1:20 3:9 5:10 6:12,13 jackson 13:9 20:13,14 22:25 jeremy 3:22 5:22 6:6,25 job 15:6,7 joseph 1:23 6:6 6:7,19 8:12 10:1,4,8,10,10 11:3,3,5,5,8 13:23 18:17,18 21:24 judge 2:23 6:3 6:18 judgement 15:15 judgment 11:19 july 20:1,10,13 20:14	lane 5:5 law 5:3,10 6:12 7:3 lawyers 10:6 21:13 lead 12:24 learned 7:7 leave 21:19 ledanski 4:25 25:3,8 legal 9:21 25:20 letter 22:5,9 line 24:4 link 22:25 llc 3:22 5:3,18 6:25 long 20:11 losers 9:18,22 lot 7:8 16:4 love 17:23	matters 6:3 7:10,15,22 8:15,17,20 19:6 md 5:20 mean 7:5 13:4 21:17 means 14:5 22:19 meeting 7:4 microphone 10:12 19:4 mind 13:21 mindful 9:13 mineola 25:23 mm 16:1 moment 14:3 16:24 moot 14:9,9 motion 3:1,5 3:20 7:22,25 8:18 10:24 12:9,9,13,22 13:7,20 14:22 16:22 17:10 19:9,17,21 20:6,18,20,25 21:2,8,11,14 22:3,9,10,13 22:14,18 23:8 24:5 motions 12:9 12:15,17 20:23 movant 20:20	n n 5:1 6:1 24:1 25:1 named 20:19 nathan 3:22 need 16:24 19:20,20,20 negotiations 16:6 new 1:2 5:6,12 news 8:8 9:4 nice 22:24 norton 1:7,12 1:23 3:2,6 6:4 6:6,6,19,19,20 8:12 11:4,4,5 11:18 12:19 13:2 14:2 15:14,16,17 18:20,20,23,24 18:25 19:1,2 21:5,12 nortons 6:21 8:23 21:24 notation 20:24 21:1 note 19:7 noted 20:21 notes 16:16 number 7:9 12:10,10,12,12 12:14 16:3,4,5 ny 2:3 5:6,13 25:23
k	m		
karamvir 3:2 5:8 6:5,18 keep 11:6 kindly 22:11 know 7:5 10:5 13:15,19 16:19 16:23 18:16 19:23 21:5 knowledge 12:14 13:9	made 15:10 maiden 5:5 main 21:16 make 16:16 20:12,24 21:1 makes 14:4 17:15 making 21:14 marissa 6:7 10:1,10 11:5 mark 20:15,17 marshal 3:7		

o	pay 11:13 15:17 payment 15:23 16:1 pc 5:17 peace 12:1,2,5 13:17,17,24 pending 11:21 12:15,17 13:6 people 7:13,20 permission 10:23 23:10 person 7:13,15 17:21 20:12 23:11 pertaining 8:18 phone 7:12,18 picked 10:12 plaintiff 1:13 1:21 6:14 plaza 2:2 please 10:5,9 pleased 8:9 22:1 pleasure 7:13 8:6 10:8 pllc 5:10 6:12 pm 23:21 point 19:6 possibility 11:13 possible 23:3 pre 3:14 4:1 7:24,25 12:20 16:14 21:4	prejudice 15:13,14 prejudiced 22:21 presence 7:16 present 12:8 pretty 19:22 21:25 principally 7:14 principle 8:10 privy 18:15 probably 19:21 problem 9:12 problems 9:12 procedural 16:19 proceeding 3:21 8:1,2,18 10:25 11:22 12:21 13:1,2 13:15,20,21 14:23 15:12,14 17:14 21:15 proceedings 13:6,8 23:20 25:4 program 7:1,7 programs 7:4 prompt 15:23 16:1 promptly 17:9 proof 3:1 12:11 20:16 property 3:22 5:18 6:25	propose 19:7 20:15 proposed 12:18,24 provide 15:21 pursuant 21:18 purview 20:21 put 8:12 putting 7:2
o 2:21 6:1 25:1 objection 8:19 11:21 12:11 13:20,23 14:24 20:16 objections 20:23 offices 5:3,10 6:12 oh 14:1 okay 18:13 20:4 22:8,23 22:24 old 25:21 once 9:9 open 13:6 opportunity 15:9 oral 22:10 order 3:8,8 ordered 23:9 outside 8:8 17:3		q	
		quash 13:7 22:3,9,13,14 22:18 23:8 24:5 question 18:25 quite 10:6 quote 22:13	
p	p 5:1,1 6:1 page 24:4 paid 11:9,11 15:19 parties 6:2 7:16 8:3 12:7 14:3,21,25 16:7,9 23:4 party 3:6 21:6 21:16	r 2:21 5:1 6:1 25:1 rather 20:23 reachable 19:13 reached 8:9 ready 8:3 16:12,13,14,16 really 9:24 21:13 recently 7:3 13:7 record 8:13 10:5,9,12 11:6 12:3,7 13:13 14:4 21:3 25:4 recording 23:19	

red 5:19 reflected 21:3 regarding 8:10 8:11 regards 8:20 remaining 11:10 15:18 reminds 7:15 repeating 19:3 report 8:8 representing 10:6 request 22:5 required 16:20 resolve 8:15,17 resolves 21:22 respect 9:2 result 22:2 return 19:25 20:5 revealing 16:14 review 19:14 right 7:9 10:17 10:20 13:10 14:18,24,25 15:2 18:4,5,17 18:24 19:5 20:10,14 rightly 14:6 rise 23:19 road 25:21 role 23:15 rooms 9:21 rosen 5:10 6:12 royal 15:1	rule 20:18 21:2 rulings 24:3 run 5:19 s s 1:23 2:22 3:21 5:1,22 6:1 sanctions 7:7 saves 22:8 saying 9:5 13:23,23 says 13:17 18:24 20:14 scheduled 7:23 scope 12:18 screen 6:23 7:14 seattle 7:1 section 7:4 see 6:16,17,21 7:13 10:8 12:3 12:6,19 13:10 19:23 seeing 15:20 seems 16:21 seen 6:22 sense 14:4 17:15 20:12 separate 11:23 17:21 separately 12:7 settle 10:24,24 10:25 11:1 16:8,10 settled 9:7 14:9 20:17 21:2,11 21:12	settlement 8:10 10:2,18,23 11:10,15 12:18 12:24 16:11,22 17:8,19,22 18:2,9,21 settling 14:22 14:22,23,25 shaking 23:12 shortly 18:3 signature 25:6 signed 15:16 17:9 18:3 similarly 13:3 16:16 simultaneously 11:14 sit 13:5 small 15:22 smoke 9:10 solely 1:20 solutions 25:20 solve 9:11 solving 9:12 sonya 4:25 25:3,8 soon 19:6 sorry 14:1 sounds 16:18 18:8 19:8 space 7:20 special 7:19 9:24 specifically 11:20 spoke 7:4	sr 1:20 6:13 state 8:22 statements 16:15 states 1:1 2:1 3:7 step 17:3,7 23:11 steps 16:19 stipulation 21:17 stipulations 16:22 stong 2:22 stong's 6:3 stop 23:19 straightforw... 19:22 street 5:12 subject 20:20 subpoenas 22:20 suggested 9:14 suite 5:5,19 25:22 sum 15:15,17 summarize 12:6 14:21 19:6 sums 21:25 suppose 20:19 sure 7:19 14:4 14:4 17:6 21:7 21:9 surprised 13:14
---	--	---	---

systems 9:21	21:4,5,13,16	20:19 21:6	used 17:23
t	21:25	trustees 8:10	v
t 1:7 3:2,6 6:4 25:1,1	thought 13:15 13:22	trying 11:12,15 16:8,9	v 1:14,22 12:19 14:2 21:5,11
table 6:10	three 12:14	tsiones 13:17	various 7:21 19:6
take 12:23 16:16 22:5,24	time 7:10,11 11:11,17 12:21 12:21 15:10,10 15:19 16:10,10 17:18 20:21,21	tsionis 3:9 5:15 6:5,11,12,16 8:4,5,5,17,25 9:2,5 10:20,22 11:3,7,9 12:1,4 14:12,16,19,20 15:2,4,10,11 15:24 16:2,4,7 17:1,1,7,13,19 17:24 18:1,14 18:19 19:5,10 20:2,7 21:22 22:6 23:6	veritext 25:20 video 6:23 7:17 20:13
taken 3:6	today 7:10,24 8:16 16:8,12 19:9,11,12 21:20 23:2		virtually 8:20
talk 11:25	today's 7:15 12:10,14 21:3		visualize 12:4
talked 16:23	together 16:20 22:6		w
talking 16:21	tomorrow 17:21	turn 20:25	want 19:22
technically 13:4 20:19	transcribed 4:25	two 7:4 12:12 13:11 14:3 16:14,24 19:9 19:11,19	waving 6:22
terms 8:13 10:18,23 21:18	transcript 25:4	u	way 21:9 23:3
terrific 9:4 16:18	trial 3:14 4:1 7:24,25 12:20 21:4	u.s. 2:23	we've 7:10 8:9 12:20
thank 6:8,15 6:22 7:1,6 9:7 10:22 14:20 17:1,25 18:5 20:9 21:21,23 23:4,6,10,11 23:14,17	trouble 10:16	uba 7:3	week 16:15 17:20 18:2,3 19:12
thanking 23:15	true 25:4	understanding 13:12	weeks 19:9,11 19:19
thanks 23:18	trustee 1:20 5:11 6:10,13 8:6 11:14 15:13 17:2,4,8 17:14 20:2,18 20:22 21:2,14 21:16	understood 16:3	welcome 20:12
thema 1:7 3:2 3:5 6:4,6,19	trustee's 13:2 14:23 15:6	united 1:1 2:1 3:7	whichever 7:5
thing 9:24 13:16 18:8,19 21:11,12 22:12		unknown 2:25	willing 10:7
things 19:25 20:24		unremarkable 19:21	winner 9:17
think 9:19 10:11 11:21 14:2 16:25 19:21 20:11		upfront 11:16 15:21	winners 9:22
			wise 16:17
			wiser 16:18
			withdraw 22:11,19
			withdrawing 15:4
			withdrawn 22:7,14,23 23:8 24:5

word	22:23
work	11:12
	12:1 18:6 19:9
	20:1
works	20:2
worst	11:16,16
wrinkle	21:12
write	22:23
x	
x	1:4,9,11,17
	1:19,25 24:1
y	
yeah	20:8 22:6
	22:22
york	1:2 5:6
young	3:21,23
z	
zoom	7:12